IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

WEDNESDAY, THE TWENTY THIRD DAY OF MARCH
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE N.V. RAMANA

WRIT PETITION NO : 12742 of 1998

Between:

N.Malla Reddy S/o Penta Reddy
R/o 3-1-131, Hyderguda , Bahadurpura, R.R.District, Hyderabad -64

..... PETITIONER

AND

1 Principal Secretary to Government , Home (Prisons. C) Department.
Secretariat, Hyderabad
2 Director General & Inspector General of Prisons
Andhra Pradesh , Hyderabad
3 Superintendent, Central Prison, Chanchalguda,
Hyderabad
4 N.Papi Reddy S/o late Shiva Reddy
Nandi Musalayyaguda, Main Road, Bangle Stores Bahadurpura, Hyderabad-64
5 Jakkidi Dhan Reddy S/o Late Malla Reddy
Gurramguda (V) Saroornagar Mandal, R.R.District.
6 Jakkidi Narasimha Reddy S/o Late Malla Reddy
Gurramguda(V) Saroornagar Mandal R.R.District.

....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue Writ of Mandamus or any appropriate Writ, order or direction declaring the action of the Respondent 1 to 3 in granting remission to Respondents 4 to 6 and releasing them from 3rd Respondent's prison, though an appeal in SLP.(Crl) No.3538/96 is pending before the Hon'ble Supreme Court of India, as illegal arbitrary and against to the well established principles of law as well as contrary to the Apex court rulings and for a consequential direction to declare the action of the Respondents 1 to 3 in abuse of powers conferred by Sec. 432 of Cr.P.C.1973 and to pass

Counsel for the Petitioner: MR.CH.DHANAMJAYA (Not Present)

Counsel for the Respondent No. 1 to 3: GP FOR HOME
Counsel for respondents 4 to 6 :Mr.C.Praveen Kumar

The Court made the following :

ORDER:

The present writ petition is filed questioning the action of the Respondent 1 to 3 in granting remission to Respondents 4 to 6 and releasing them from 3rd Respondent's prison, pending an appeal in SLP.(Crl) No.3538/96 before the Hon'ble Supreme Court of India.

None appeared for the petitioner nor any representation made. Learned Government Pleader for Home submitted that the cause in the writ petition does not survive and it has become infructuous.

Accordingly, the writ petition is dismissed as infructuous. No costs.

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N.V.RAMANA,J

23-3-2005

TVK

..... REGISTRAR

// TRUE COPY //

SECTION OFFICER

To

1 The Principal Secretary to Government , Home (Prisons. C)
Department, Secretariat, Hyderabad

2 The Director General & Inspector General of Prisons
Andhra Pradesh , Hyderabad
3 The Superintendent, Central Prison, Chanchalguda,
Hyderabad
4**) 2 CC copies** Government Pleader for Home, High Court of A.P. Buildings, Hyderabad (OUT)

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